

WINSTON & STRAWN LLP
101 California Street
San Francisco, CA 94111-5894

Thomas C. Mavrakakis (SBN 177927)
Michael A. Sweet (SBN: 184345)
George C. Lombardi (*Admitted Pro Hac Vice*)
James F. Hurst (*Admitted Pro Hac Vice*)
David J. Doyle (*Admitted Pro Hac Vice*)
Samuel S. Park (*Admitted Pro Hac Vice*)
WINSTON & STRAWN LLP
101 California Street, Suite 3900
San Francisco, CA 94111-5894
Telephone: 415-591-1000
Facsimile: 415-591-1400
Email: msweet@winston.com;
glombardi@winston.com; jhurst@winston.com;
ddoyle@winston.com; spark@winston.com

Attorneys for Defendant
ABBOTT LABORATORIES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE ABBOTT LABS NORVIR
ANTITRUST LITIGATION

Case No. C-04-1511 CW

**ORDER GRANTING SECOND
STIPULATED REQUEST PURSUANT TO
LOCAL RULE 6-2 FOR MODIFICATION
OF THE BRIEFING SCHEDULE AND
HEARING DATE ON DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

The Honorable Judge Wilken

By the signature of their counsel to this Stipulation, the parties to this action agree and stipulate as follows:

RECITALS

WHEREAS, by order dated September 12, 2005, the Court set a briefing schedule on Defendant's motion for summary judgment.

WHEREAS, by order dated December 15, 2005, the Court modified the previously set briefing schedule on Defendant's motion for summary judgment.

WHEREAS, Defendant's reply brief to Plaintiffs' opposition to Defendant's motion for summary judgment is currently due on March 3, 2006.

WHEREAS, the hearing on Defendant's motion for summary judgment is currently set for March 24, 2006.

WHEREAS, Defendant seeks further modification of the briefing schedule in order to permit Defendant to depose declarants not previously disclosed to Defendant and on which Plaintiffs rely in support of their opposition to Defendant's motion for summary judgment filed February 10, 2006. Depositions of these declarants are necessary in order for Defendant to adequately reply to Plaintiffs' opposition.

WHEREAS Plaintiffs do not object an extension of time for Defendant's reply brief.

WHEREAS, the parties have, subject to Court approval, agreed that Defendant be permitted eighteen (18) additional days in which to file their reply to Plaintiffs' opposition.

WHEREAS, there have been nine time modifications in this case, one of which was with respect to the instant motion for summary judgment.

STIPULATION

The parties hereby stipulate and respectfully request that the Court approve the following:

Defendant's reply to Plaintiffs' opposition to Defendant's motion for summary judgment is now due **March 21, 2006**.

The parties respectfully suggest that the Court hear argument on **April 7, 2006** or any other date that will be convenient to the Court.

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IT IS SO STIPULATED.

Dated: February 28, 2006

WINSTON & STRAWN LLP

By: /s/ Samuel S. Park
Samuel S. Park (admitted *pro hac vice*)
One of the Attorneys for Defendant
ABBOTT LABORATORIES

Dated: February 28, 2006

BERMAN, DEVALERIO, PEASE, TABACCO,
BURT & PUCILLO

By: /s/ Christopher T. Heffelfinger
Christopher T. Heffelfinger

Joseph J. Tabacco, Jr. (75484)
Christopher T. Heffelfinger (118058)
BERMAN DEVALERIO PEASE
TABACCO BURT & PUCILLO
425 California Street, Suite 2100
San Francisco, CA 94104-2205
Telephone: (415) 433-3200
Facsimile: (415) 433-6382
Counsel for Plaintiffs
JOHN DOE 1 and JOHN DOE 2

Bernard Persky
Hollis Salzman
Michael W. Stocker (179083)
LABATON RUDOFF & SUCHAROW LLP
100 Park Avenue
New York, New York 10017-5563
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
Counsel for Plaintiff Service Employees
International Union Health and Welfare Fund

ORDER

Pursuant to Stipulation, IT IS SO ORDERED

Dated: 3/2/06

/s/ CLAUDIA WILKEN

By: _____
Hon. Claudia Wilken
United States District Judge

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